



State of Utah

Department of  
Natural Resources

Division of  
Oil, Gas & Mining

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March 12, 2004

Mr. Robert Harris  
West Desert Collectors  
278 West Main  
P.O. Box 102  
Delta, Utah 84624

Subject: Abatement of Notice of Potential Non-Compliance & Division Directive,  
West Desert Collectors, Tetla Septarian Mine (S/025/006), and File  
Closure of ML-46643 (S/025/020), Kane County, Utah

Dear Mr. Harris:

**Tetla Septarian Mine - S/025/006**

On June 25, 2003, Will Stokes of the State Institutional Trust Lands (SITLA) and Mr. Tom Munson inspected State Leases ML-41355 and ML-48588 and determined you had exceeded the five-acre limitation for your small mining permit. The total surface disturbance totaled 9.69 acres between these two leases.

In late August, 2003, you had a phone conversation with Mr. Munson concerning areas on Lease ML-48588 (2.13 acres) and Lease ML-41355 (0.75 acres). These areas had been disturbed by Mr. Mike Caruso. You informed Mr. Munson that you would assume full reclamation responsibility for those areas due to Mr. Caruso's failing to complete reclamation of these sites on your leases. An inspection was scheduled to determine if you had completed regrading and seeding on a majority of this disturbance.

On November 6, 2003, Mr. Munson met Mr. Crapo on-site to document that the necessary regrading and seeding had taken place. It was verified that you had **completed** the regrading and seeding of the 6.01 acres mentioned in the notice of Non-Compliance. This now leaves a total remaining disturbance of 3.68 acres unreclaimed. Photos were taken to document the seeding and regrading which had taken place. One activity which had not been accomplished was marking the boundary of the active disturbed areas with metal t-posts or other appropriate markers to ensure that operations are not conducted outside the currently disturbed areas. Mr. Munson discussed this with Mr. Crapo and since the mining season

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was over for the year, it was suggested and agreed that marking the boundary would be carried out in the Spring of 2004.

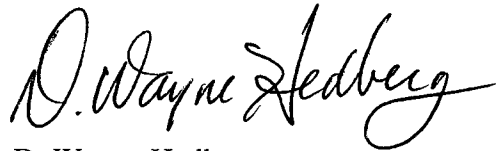
The Potential Non-Compliance and Division Directive is satisfied and we therefore, abate this Directive. Please notify us when the marking is carried out, to avoid any other enforcement action being taken.

**State Lease ML-46643 – S/025/020**

You dropped State Lease ML-46643 in 2000 on your other septarian permit (file # S/025/020). That site was inspected by Will Stokes of the State Institutional Trust Lands Department in 2002. In a March 9, 2004, phone conversation with Mr. Stokes, he confirmed that no disturbance had occurred on this lease and that the permit could be closed. The Division will now close the mine permit and file #S/025/020 will be retired.

Please keep us informed of any mining plans for 2004 on the Tetla Septarian Mine. If you have any remaining questions regarding this letter, please contact me at (801) 538-5286, or Mr. Munson at 538-5321. Thank you for taking the necessary action to abate the Potential Non-Compliance.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
enclosures: ' DOGM Inspection Reports  
cc Loy Crapo, operator  
Will Stokes, SITLA  
Mary Ann Wright, DOGM  
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